

AMENDED IN SENATE APRIL 14, 2010

AMENDED IN SENATE MARCH 23, 2010

SENATE BILL

No. 1067

Introduced by Senator Oropeza

February 17, 2010

An act to amend Section 12838.3 of the Government Code, and to add Section 1710.5 to the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1067, as amended, Oropeza. Juvenile justice: recidivism.

Existing law provides that the Department of Corrections and Rehabilitation consists of Juvenile Justice, among others. Existing law creates within the Department of Corrections and Rehabilitation under the Chief Deputy Secretary for Juvenile Justice, the Division of Juvenile Facilities, the Division of Juvenile Programs, and the Division of Juvenile Parole Operations.

This bill would make a clarifying change by creating the Division of Juvenile Justice. The bill would also make other nonsubstantive conforming changes.

Existing law states that the purpose of the Division of Juvenile Parole Operations within the Department of Corrections and Rehabilitation is to monitor and supervise the reentry into society of youthful offenders under the jurisdiction of the department, and to promote the successful reintegration of youthful offenders into society, in order to reduce the rate of recidivism, thereby increasing public safety.

This bill would require the Division of Juvenile Justice to track recidivism rates, as ~~defined~~ *specified*, of youthful offenders under the jurisdiction of the department. The bill would also require the division

to create an annual report that includes recidivism rate data, deliver the report to the Legislature, and post it on the department's Internet Web site once per year, beginning January 1, 2012. The bill would specify that the reporting requirement would be inoperative on January 1, 2016.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12838.3 of the Government Code is
2 amended to read:

3 12838.3. There is hereby created within the Department of
4 Corrections and Rehabilitation the Division of Juvenile Justice
5 which shall be headed by the Chief Deputy Secretary for Juvenile
6 Justice. There is hereby created within the Division of Juvenile
7 Justice the Division of Juvenile Facilities, the Division of Juvenile
8 Programs, and the Division of Juvenile Parole Operations. Each
9 of those three divisions shall be headed by a chief, who shall be
10 appointed by the Governor, at the recommendation of the secretary,
11 subject to Senate confirmation, who shall serve at the pleasure of
12 the Governor.

13 SEC. 2. ~~Section 1710.5 is added to the Welfare and Institutions~~
14 ~~Code, to read:~~

15 ~~1710.5.—(a) The Division of Juvenile Justice shall track~~
16 ~~recidivism rates of youthful offenders under the jurisdiction of the~~
17 ~~department. The division shall report those rates to the appropriate~~
18 ~~legislative committees once per year.~~

19 ~~(b) For the purposes of this section, the following terms have~~
20 ~~the following meanings:~~

21 ~~(1) "Recidivism" means an adjudication, adjudication withheld,~~
22 ~~or an adult conviction for an offense committed within 36 months~~
23 ~~of completing a program.~~

24 ~~(2) "Recidivism rates" include annual data on parolee rearrests~~
25 ~~by gender, race, and offense severity.~~

26 ~~(c) The Division of Juvenile Justice shall create an annual report~~
27 ~~that includes the recidivism rate data. On January 1, 2012, and~~
28 ~~each January 1 thereafter, the division shall deliver the report to~~
29 ~~the Legislature and post it on the department's Internet Web site.~~

30 ~~(d) The recidivism rate reports shall include recidivism rate data~~
31 ~~at 12-, 24-, and 36-month intervals, and shall distinguish~~

~~misdemeanor arrests, felony arrests, and felony arrests under
Section 707.~~

*SEC. 2. Section 1710.5 is added to the Welfare and Institutions
Code, to read:*

*1710.5. (a) The Division of Juvenile Justice shall track and
report data on the recidivism outcomes and rates of youthful
offenders under its jurisdiction and control in accordance with
the provisions of this section.*

*(b) The Division of Juvenile Justice shall collect and report
recidivism outcomes and rates for youthful offenders released on
parole in any calendar year for the followup period described in
subdivision (c) for each of the following categories:*

*(1) The number of juveniles who have been released on parole
in each calendar year who are returned to a juvenile facility for
a parole violation during the followup period.*

*(2) The number of juveniles who have been released on parole
in each calendar year who are returned to a juvenile facility on a
new commitment for a subsequent offense during the followup
period.*

*(3) The number of juveniles who have been released on parole
in each calendar year who are rearrested for a new offense,
identified as a felony or misdemeanor, during the followup period.*

*(4) The number of juveniles who have been released on parole
in each calendar year who are either adjudicated or convicted of
a new offense, identified as a felony or misdemeanor, during the
followup period.*

*(c) The followup period for tracking the recidivism outcomes
and rates described in subdivision (b) shall be three years, with
annual recidivism data to be collected on the performance of each
parolee at 12, 24, and 36 months following release on parole.*

*(d) The Division of Juvenile Justice shall create an annual report
that includes the recidivism outcomes and rates described in
subdivision (b). The recidivism rate shall be reported, for each
annual calendar year release cohort, as the percent of those
released who recidivated at 12, 24, and 36 months in each of the
categories described in subdivision (b). On January 1, 2012, and
each January 1 thereafter, the division shall deliver the report to
the Legislature and post it on the department's Internet Web site.*

- 1 (e) (1) The requirement for submitting a report imposed under
2 subdivision~~(e)~~ (*d*) is inoperative on January 1, 2016, pursuant to
3 Section 10231.5 of the Government Code.
4 (2) A report to be submitted pursuant to subdivision~~(e)~~ (*d*) shall
5 be submitted in compliance with Section 9795 of the Government
6 Code.